



"The City With a Heart"

Jim Ruane, Mayor  
Rico E. Medina, Vice Mayor  
Ken Ibarra, Councilmember  
Irene O'Connell, Councilmember  
Michael Salazar, Councilmember

## MINUTES

### SAN BRUNO CITY COUNCIL

May 11, 2010

7:00 p.m.

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met in regular session on May 11, 2010 at San Bruno's City Hall, 567 El Camino Real, San Bruno, CA. The meeting was called to order at 7:03 p.m.

**Mayor Ruane** thanked the **San Bruno Garden Club** for providing the beautiful floral arrangement.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Ruane, Vice Mayor Medina and Councilmembers Ibarra and Salazar in attendance. Councilmember O'Connell was excused with notice. Recording by Clerk Bonner. **Police Chief Telford** led the Pledge of Allegiance.

#### **3. ANNOUNCEMENTS:**

**Mayor Ruane** announced the 70<sup>th</sup> Annual Posy Parade, sponsored by the San Bruno Lions Club will be held on Sunday, June 5, 2010 at 1:00 p.m. **Councilmember Ibarra** said the theme is Green Transportation: Our Carbon Footprint and children can come at 12:30 to march in the parade and at the end can receive a hot dog and drink in the park.

**Mayor Ruane** said Councilmember Nadia Holober from Millbrae said there would be a "Save the Whales Day" Sunday, May 23, 10:00 a.m. at the Pacifica Pier, Pacifica, California.

#### **4. PRESENTATIONS:**

a. **Mayor Ruane** presented a Proclamation Declaring the Week of May 10-16, 2010 as National Police Week in San Bruno to **Police Chief Telford** who thanked the City and said Police Day would be held this Saturday at Tanforan Mall. He encouraged everyone to come out and meet the people who protect our community.

b. **Mayor Ruane** presented a Proclamation Declaring the Week of May 17-23, 2010 as Public Works Week in San Bruno to **Public Services Director Fabry** who thanked the City for their support. She said there would be an Informational Booth at the Farmer's Market on San Mateo Ave this coming Sunday and next Wednesday their department would hold leadership training for the Public Works Department and on Thursday at 253 Florida Ave there would be a demonstration of the zipper machine.

**5. REVIEW OF AGENDA:** **Mayor Ruane** pulled Item 10.f. to the next meeting and moved Item 11. to follow Item 8.

**6. APPROVAL OF MINUTES:** Regular City Council Meeting of April 27, 2010, approved as submitted.

#### **7. CONSENT CALENDAR:**

a. **Approve:** Payroll of April 25, 2010.

b. **Approve:** Accounts Payable of April 19 and 26, 2010.

**M/S Medina/Ibarra** to approve the Consent Calendar and passed with all ayes.

## **8. PUBLIC HEARINGS:**

Hold Public Hearing, Waive First Reading, and Introduce Ordinance Imposing a 4.93% Solid Waste Collection and Disposal Rate Increase Requested by Recology San Bruno Effective July 1, 2010 as Presented in the Notice of Proposed Increase Mailed to All Property Owners.

**Finance Director Suen** gave an overview of the staff report and asked for questions.

**Councilmember Ibarra** said he read all the protests. He asked if there is a follow-up with the protests? **City Manager Jackson** said it has not been past practice to provide a response; however, at the direction of Council, it could be done. **Councilmember Ibarra** said some people spend time reviewing and articulating their arguments and believed it would be a good idea.

**Mayor Ruane** said there appears to be three things to be looked at; one was emotion, solid suggestions, where things were placed, the third the suggestion of things that may change rates in the future like smaller toters. He said to get back to the responders would be good.

**Vice Mayor Medina** said because of the amount of protests we received, it is feasible, but in cases where we have had more, he asked to be mindful of staffing issues. While Recycling has been encouraged, there are no rewards. He asked Recology to look into it.

**Mayor Ruane** opened the public hearing. No one wished to speak.

**M/S Medina/Ibarra** to close the public hearing and passed with all ayes.

**Kirsten Pinnoch, Recology.** **Mayor Ruane** asked if there is a possibility of a smaller totter? **Pinnoch** said there is that possibility and they would be willing to negotiate with the City. **Mayor Ruane** asked about bi-weekly garbage service. **Pinnoch** said it is a State mandate that garbage cannot remain on property more than seven days. She said recycling bi-weekly would require bigger cans.

**Vice Mayor Medina** asked about the large complexes and the City meeting its goal. **Pinnoch** said they educate the tenants on how to recycle. **Vice Mayor Medina** asked if there were any updates on the City's meeting their requirement. **City Manager Jackson** said currently she understands it is favorable; however, she doesn't have the exact figures right now.

**Vice Mayor Medina** asked what is driving the increase? **Suen** said a combination of costs and labor that are tied in by the franchise agreement, vehicle costs, reduced commodity costs for recyclables and other costs.

**Councilmember Ibarra** asked if it is all calculated and formulized? **Suen** concurred. **Councilmember Ibarra** said other Cities with commercial, are less. **Pinnoch** said depending on their rate structure, the commercial could be supplementing the residential rate. **Councilmember Ibarra** asked what it cost to change the name? **Pinnoch** said it cost the ratepayers nothing.

**Councilmember Salazar** asked what the City did proactively to move the citizens in the right direction as far as recycling. **City Manager Jackson** said the formula the State uses to calculate our compliance with the State mandated 50% diversion requirement that has to do with economic indicators as well as tonnage diverted from land fills. When we dipped below 50% threshold, it was related to economic indicators, not actual recycling. She said she didn't know what was done to get us over the 50%, but she would be happy to get the information for Council.

**Councilmember Salazar** asked if there were other programs in other municipalities that are direct incentives to individuals to recycle more or is possible to monitor? **Pinnochi** said in surrounding cities there are not direct programs that reward individuals via their rate.

**Vice Mayor Medina** said, as he understood it, we would get back to the residents who wrote protest letters and that some of their suggestions be looked at. He said it would also be nice for the residents to know what we can do as a community to keep our rates down?

**Councilmember Salazar** thanked everyone who wrote letters.

**M/S Ibarra/Medina** to waive the first reading and passed with all ayes.

**Councilmember Ibarra** introduced the ordinance for adoption and passed with a unanimous vote. Councilmember O'Connell was absent with notice.

11. Receive Annual Report from the Senior Advisory Board (moved to follow Item 8.)

**Bill Goff, Chair, Senior Advisory Board** gave an overview of what the Senior Center has to offer and what they do. He commented on the thousands of hours volunteers give and the many classes available. The next year offers more activities and the hope of a new bus. He introduced **Kenneth Kreisel, Senior Advisory Board** who shared how he became involved at the Center and the many programs available.

**Mayor Ruane** thanked them for all they do, he said the Senior Center was a "little gem."

**Vice Mayor Medina** said he remembered when the Center was just dirt and he complimented staff.

**Councilmember Ibarra** thanked them.

## 9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

**Robert Riechel, 7<sup>th</sup> Ave.** said the month of May is "Lyme Disease Awareness Month." He talked about ticks, which are the transmitters of disease. Additional information can be obtained by contacting (650) 344-8592.

## 10. CONDUCT OF BUSINESS:

a. Appoint Members to Citizen Advisory Committees, Boards and Commissions.

**Mayor Ruane** said there are four vacancies: Citizen Crime Prevention, Community Preparedness, Personnel Board, Traffic, Safety & Parking. He said he would entertain nominations.

Citizens Crime Prevention –

**M/S Medina/Ibarra** nominated Frank Deering, additional vote from **Ruane**.

**M/ Salazar** nominated Anthony Jordan.

**Frank Deering** was appointed.

Community Preparedness –

**M/S Medina/Ruane** nominated Michael Ward, additional vote from **Salazar**.

**M/ Ibarra** nominated Kevin Mattias

**Michael Ward** was appointed.

Personnel Board –

**M/S Medina/Ibarra** nominated Joe Roberts, additional votes from **Ruane** and **Salazar**.

**Joe Roberts** was appointed.

Traffic Safety & Parking –

**M/S Medina/Ibarra** nominated Jessica Barnes Lopez, additional votes from **Ruane** and **Salazar**.

**Jessica Barnes Lopez** was appointed.

**Mayor Ruane** thanked all of those who interviewed and said the City is always looking for qualified volunteers.

b. Receive Presentation from the San Francisco Public Utilities Commission Regarding Proposed Regional Groundwater Storage and Recovery Project.

**Steve Ritchie, Assistant General Manager** of San Francisco PUC introduced **Greg Bartow, Project Manager** who gave an introduction about the San Francisco Public Utilities Commission and gave a power point presentation on groundwater storage and recovery.

**Councilmember Salazar** asked what happens to San Bruno's control over water rates. Does the PUC set the rates? **Bartto** said all regional wholesale customers are paying for this project. **City Manager Jackson** said it is premature to discuss these issues at this point until specific contractual arrangements are made.

**Councilmember Ibarra** asked if this is good for San Bruno? **City Manager Jackson** said at this point it is a little early to say. It is likely to be a beneficial program for the region.

**Robert Riechel, 7<sup>th</sup> Ave.** said San Bruno was asked not to pump water a number of years ago. SFPUC agreed to sell us water with no net difference to our residents. He asked if the same principal has been given for this? **City Manager Jackson** said it was a trial conjunctive use program in effect around 2003-04 and the answer is yes, in preliminary investigation.

c. Adopt Resolution Approving Cable Television Services and Rates Effective July 1, 2010.

**Business Manager Firpo** gave highlights of the staff report and asked for questions.

**Councilmember Salazar** had concerns how the rate increase was being applied. He acknowledged the efforts staff has made to keep the costs down. He wanted those watching to know it isn't because we haven't tried to keep the costs down. He was happy to see that basic services were maintaining their price.

**Councilmember Ibarra** asked why it is advantageous to go with the 14.86% over the 9.7% increase? **Firpo** said there are two issues the 9.7% will not cover any of the debt reduction, strictly the programming costs. Regarding Councilman Salazar's comment regarding the deficit and spending done for commercial services, he said video was a major component as well as the programming fees.

**Councilmember Ibarra** said what would happen if we only approved 9.7%? **Firpo** said the operating expenses would be covered but nothing toward debt reduction. **City Manager Jackson** said Attachment 3, Page 33 gives an illustration.

**Councilmember Ibarra** said commercial is going gangbusters and he asked how that would affect our customer rates, will it keep them down? **Firpo** said programming fees will most likely continue to go up and that cost would go to those paying for our service. **City Manager Jackson** said Page 34 gives some projections. **Mayor Ruane** said the subcommittee discussed in some length the difference in percentages. **Councilmember Ibarra** asked will Comcast go up? **Firpo** said it would increase.

**Vice Mayor Medina** said Attachment 5, Page 35 looks like we are on the high end. **City Manager Jackson** said there is a variation in this table about the quantity of channels and variety of services provided. She said it is a mix, with San Bruno being more in the middle.

**Vice Mayor Medina** said he was comfortable with everything except Cable. He said he talked to a neighbor who had AT&T. He said when people leave for other services it is hard to get them back. He said there are a lot of dishes out there and we have lost a lot of customers. He said there are not a lot of places to shop for garbage; with cable there are a lot of options. He asked what is in the pipeline? **Firpo** talked about their progress with commercial services and they hope to pick up more businesses. He said whatever Council decides; he was prepared to go with it. **City Manager Jackson** added the businesses have come to us.

**Councilmember Salazar** wondered if there was reserve in the equipment reserve to replace equipment? **Firpo** said they have to continue to purchase the boxes; however, those expenditures are accounted for. **City Manager Jackson** said there are no indicators there is anything on the horizon for expenditure such as was previously made.

**Councilmember Ibarra** said everything is going up.

**Mayor Ruane** asked if the 14% plus would skew the whole thing this year? **Firpo** said the 14.86% was to cover the costs from last year that were not covered so it did skew that and also the deficit.

**Vice Mayor Medina** said he would be interested to know when the rates go up on July 1, if there was a tracking mechanism when we lose customers? He asked about focus groups for those who have left cable or are planning to leave? What can be done to win back others? What is it worth to the City? How do we keep up with the big players? **Firpo** said they are addressing the subscriber losses by the door-to-door campaign. He said there were surveys done some years ago and it is something that can be done again. One of the issues is our competitor has the subscriber sign a two-year contract.

**Vice Mayor Medina** asked **Firpo** what he felt about the recommendation from staff at 14 plus percent? **Firpo** said staff and the subcommittee have wrestled with this, but there is a deficit that needs to be addressed and it is not going to go away. He recommended 14.86%.

**Mayor Ruane** said the committee struggled with this; however, he didn't think the percentage really makes a difference.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote. Councilmember O'Connell absent with notice.

**Councilmember Salazar** said his concern there were portions of the capital investment dedicated to commercial and didn't want those passed on to the residential side. He said the deficit reduction.

d. Receive Report and Provide Direction to Staff Regarding a Red Light Enforcement Program.

**Police Chief Telford** gave an overview of the staff report with a recommendation that San Bruno not participate in a Red Light Enforcement Program and asked for questions.

**Councilmember Salazar** asked if there were any reported fatalities due to red light enforcement? **Telford** said not that he was aware of. **Councilmember Salazar** said he thought we were looking at this from a revenue standpoint, but there is a public safety aspect. If these

cameras could eliminate having an officer watching traffic all day it could still make financial sense. **Telford** said this was looked at with safety in mind. He said he did not know what an expense of \$90,000 over a three-year period would equate to in terms of collision reduction.

**Vice Mayor Medina** asked in the Chief's view if it may not be cost neutral? Maybe in the beginning it is good and we might end up like other jurisdictions to pay for it through the fines? **Telford** said correct and there would be a cost associated with that.

**Councilmember Ibarra** asked what the numbers would have to be in the study for them to recommend a camera? **Telford** said he believed the numbers needed to be 64.

**Councilmember Salazar** said the proper way to look at this is what benefit the light would provide?

**Vice Mayor Medina** asked if the Chief had a thought? **Telford** said there is one officer devoted to traffic. Photo enforcement of a violation will improve traffic safety. If violations are reduced, collisions are reduced. Our collision history doesn't appear significant enough to warrant that expense.

**Councilmember Ibarra** said this started out as an enterprising business. He said you couldn't put a price on safety. He said he believed our money could be put to better use. **Councilmember Salazar** agreed and maybe other technologies should be looked at.

e. Adopt Resolution Authorizing the City Manager to Execute a Contract with Eaton Pump Services for Replacement of a Pump at Water Pump Station No. 1 in the Amount not to exceed \$55,000.

**Public Services Director Fabry** gave an overview of the staff report with a powerpoint presentation and asked for questions.

**Councilmember Salazar** asked if there was regular maintenance, which could have prevented this failure? **Fabry** said this leak was discovered during maintenance. **Councilmember Salazar** asked if a proactive focus was on this? **Fabry** said yes. **Councilmember Salazar** asked if the \$55,000 is a life for life replacement or is it an upgrade or are we doing something better or the same as before? **Fabry** said the same as before.

**Robert Riechel, 7<sup>th</sup> Ave.** asked about not to exceed, is there a breakdown and likewise in some of the other expenditures for new equipment, there is a dollar amount and a contingency, he was confused can we expect a penny less? Is there a breakdown to show how this tabulated? **Fabry** said the department has a very good understanding of what is being done. Based on the element of this project and she had a breakdown.

**Mayor Ruane** asked for the unknown? **Fabry** said there is not an unknown.

**Vice Mayor Medina** said that is why there is no contingency because of the understanding.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote. Councilmember O'Connell absent with notice.

f. Receive Oral Update Regarding the City's Temporary Moratorium on the Establishment and Operation of Medical Marijuana Collectives. (Item pulled and moved to the next meeting.)

g. Schedule Study Sessions for Review of the FY 2010-11 Annual Budget on June 1, 2 and 3, 2010.

**Mayor Ruane** suggested June 1, 2 and 3 at 5:00 p.m., two councilmembers had conflicts so the time was set for 5:30 p.m.

h. Consider Cancellation of the Regular City Council Meeting on August 10, 2010.

**Mayor Ruane** said one meeting is cancelled during August to have time for vacations and he suggested August 10. All agreed.

#### **11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

Receive Annual Report from the Senior Advisory Board (moved to follow Item 8.)

#### **12. COMMENTS FROM COUNCIL MEMBERS:**

**Councilmember Ibarra** said we need to look at replacement trees throughout our parks and our City. He said we might want to look at participation of other groups reforesting San Bruno.

**Vice Mayor Medina** said it was his understanding Walgreens trees were on their property. **City Manager Jackson** said they were replaced and it was program coordinated with staff.

#### **13. CLOSED SESSION:**

**Mayor Ruane** said they would be going into closed session with no reportable action. The City Manager and Human Resources Director Request a Closed Session Pursuant to Cal. Gov't Code Section 4957.6 Regarding Direction for Labor Negotiations with the San Bruno Professional Fire Fighters Associations, Public Safety Mid-Management Bargaining Unit and Miscellaneous Group.

#### **14. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 9:20 p.m. with a moment of silence in memory of Michael Kaiser, Jr., Father of Councilmember O'Connell who passed away last week. He was a very active member of numerous San Bruno Committees such as Crime Prevention, Beautification Committee, Project Pride and Colma Creek Flood District. He was dedicated to advancing the Boy Scouts, particularly San Bruno Troop 72 where he served for over 30 years as chairman of the steering committee. He received several awards including the Spirit of Scouting Award and the District Award of Merit. The services will be tomorrow evening at Chapel of the Highlands. The next regular City Council Meeting will be held on May 25, 2010 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
at the regular City Council Meeting of  
May 25, 2010

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Carol Bonner, City Clerk

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Jim Ruane, Mayor